

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Steven M. RUBEN

Appl. No.: 10/662,429

Filed: September 16, 2003

For: **Apoptosis Inducing Molecule I**

Confirmation No.: 2663

Art Unit: 1644

Examiner: HUYNH, PHUONG N.

Atty. Docket: 1488.1890003/EJH/SAC

**Supplementary Declaration of Edward Dul
Ruben Exhibit #144**

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Paper No. _____

Filed on Behalf of Party Ruben:

By: Samuel B. Abrams, Esq.
Margaret B. Brivanlou, Esq.
JONES DAY
222 East 41st Street
New York, New York 10017
Tel: (212) 326-3939
Fax: (212) 755-7306

UNITED STATES PATENT AND TRADEMARK OFFICE

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**
(Administrative Patent Judge Sally Gardner Lane)

STEVEN M. RUBEN

Junior Party,
(Application No. 08/816,981),

v.

STEVEN R. WILEY
and **RAYMOND G. GOODWIN**

Senior Party,
(Patent No. 5,763,223).

Patent Interference No. 105,077

SUPPLEMENTARY DECLARATION OF EDWARD DUL

**Ruben EXHIBIT 2144
Ruben v. Wiley et al.
Interference No. 105,077
RX 2144**

NYJD: 1532746.1

SUPPLEMENTARY DECLARATION OF EDWARD DUL

I, Edward Dul, declare and state as follows:

1. I am employed by GlaxoSmithKline (formerly SmithKline Beecham or "SB") and acted in a scientific role for SB during the time periods discussed below. I have been asked by patent counsel to Human Genome Sciences ("HGS") to further clarify my activities relating to AIM-I, which were previously detailed in my Declaration of June 18, 2004 RE30).

2. I obtained plasmid DNA encoding the AIM-I protein from Kong B. Tan of SB, which I used when I performed the experiments described in ¶ 2 of my Declaration of June 18, 2004. In these experiments, I subcloned the AIM-I coding sequence to make two different fusion protein constructs. I then expressed those fusion constructs in bacterial cells after which I then lysed the cells. I then separated the lysate into soluble and insoluble fractions which I then analyzed by polyacrylamide gel electrophoresis. This work is described in RE31 and I recorded this work contemporaneously in my notebook number 24098 (RE32).

3. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the above-captioned application or any patent issuing thereon.

Date

7/15/04


Edward Dul